

**CHAPTER NO. 997**

**HOUSE BILL NO. 2784**

**By Representatives Brenda Turner, Sargent, Stulce**

**Substituted for: Senate Bill No. 2661**

**By Senator Crowe**

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 39, relative to the "Sexual Offender Registration and Monitoring Act".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-39-102, is amended by adding the following new definition to be numbered as (4) and by renumbering existing definition (4) as (5):

(4) "Sexually violent offense" means the commission of any act that constitutes the criminal offense of:

(A) Aggravated rape, under §39-13-502;

(B) Rape, under §39-13-503; provided, however, if such person is convicted under §39-13-503(a)(2) or (a)(4), such person may, after ten (10) years, petition to be relieved from further registration and monitoring requirements pursuant to the provisions of §40-39-107;

(C) Aggravated sexual battery, under §39-13-504;

(D) Rape of a child, under §39-13-522; or

(E) Criminal attempt to commit any of the offenses listed above, under §39-12-101.

Any conviction for an offense in a federal court, military court or court of another state or territory which under the laws of this State would be classified as a violation of any of the offenses listed in this definition shall be treated as "sexually violent offense."

SECTION 2. Tennessee Code Annotated, Section 40-39-107, is amended by adding the following new subsection (g):

(g)

(1) A person required to register under this part shall continue to comply with the registration and quarterly monitoring requirements for the life of that person if that person:

(A) Has one or more prior convictions for a sexual offense as defined in §40-39-102(3), or

(B) Has been convicted of a sexually violent offense as described in §40-39-102(4).

(2) As used in subpart (1)(A) of this subsection, "prior conviction" means any conviction for a sexual offense as defined in § 40-39-102(3) occurring prior to the date of the offense for which the offender is currently required to register.

SECTION 3. Tennessee Code Annotated, Section 40-39-103, is amended by deleting from the first sentence of subsection (a) the language "and within ten (10) days after coming into a municipality or county in which the sexual offender temporarily resides or is domiciled" and substituting instead the language "and within ten (10) days after coming into a municipality or county in which the sexual offender temporarily resides or is domiciled or is employed, carries on a vocation or is a student."

SECTION 4. Tennessee Code Annotated, Section 40-39-102, is amended by adding the following new items (xvi) and (xvii) to subsection (3)(A) and by renumbering present items accordingly:

(xvi) Sexual battery by an authority figure, under § 39-13-527;

(xvii) Aggravated incest, under § 39-15-303, (provided Senate Bill 3064/House Bill 2991 of the 101<sup>st</sup> General Assembly is enacted and becomes law);


SECTION 5. This act shall take effect upon becoming law, the public welfare requiring it.

**PASSED: June 28, 2000**

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 30<sup>th</sup> day of June 2000**

  
DON SUNDQUIST, GOVERNOR